

1 BARRY J. PORTMAN  
Federal Public Defender  
2 NICHOLAS P. HUMY  
Assistant Federal Public Defender  
3 160 West Santa Clara Street, Suite 575  
San Jose, CA 95113  
4 Telephone: (408) 291-7753  
5 Counsel for Defendant DANIEL THOMAS REYES

6  
7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA, ) No. CR-07-00772-JF  
11 )  
Plaintiff, )  
12 )  
vs. ) **STIPULATION TO HAVE A PRE-PLEA**  
13 ) **CRIMINAL HISTORY ONLY**  
DANIEL THOMAS REYES, ) **PRESENTENCE REPORT PREPARED;**  
14 ) **[PROPOSED] ORDER**  
Defendant. )  
15 )

16 Defendant and the government, through their respective counsel, hereby stipulate that,  
17 subject to the court's approval, A Pre-Plea, Criminal History Only Pre-Sentence Report should  
18 be prepared in this matter in order to facilitate resolution.

19 The parties have been engaged in fruitful resolution discussions in this matter. The  
20 matter is expected to resolve short of trial, and the parties are in agreement in principle on the  
21 terms. Both parties are of the opinion that it would be of assistance to have a Criminal History

22 //

23 //

24 //

25 No. CR-07-00772-JF

26 **STIPULATION FOR PRE-PLEA,**  
**CRIMINAL HISTORY ONLY**  
**PRESENTENCE REPORT; [PROPOSED]**  
**ORDER**

1 Only Pre-Plea Presentence Report prepared by the United States Probation Office. Mr. Reyes'  
2 criminal history presents some unusual issues.

3  
4 Dated: May 1, 2008

\_\_\_\_\_/s/\_\_\_\_\_  
NICHOLAS P. HUMY  
Assistant Federal Public Defender

5  
6 Dated: May 1, 2008

\_\_\_\_\_/s/\_\_\_\_\_  
JOHN GLANG  
Assistant United States Attorney

7  
8  
9 **ORDER**

10 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the United States  
11 Probation Office shall prepare a Pre-Plea Criminal History Only Pre-sentence Report in this  
12 matter.

13 IT IS FURTHER ORDERED, that the United States Probation Officer shall inform the  
14 parties and the court when the report can be completed.

15  
16 Dated: 5/2, 2008

\_\_\_\_\_  
JEREMY FOCIEL  
United States District Judge

17  
18  
19  
20  
21  
22  
23  
24  
25  
26 No. CR-07-00772-JF

STIPULATION FOR PRE-PLEA, CRIMINAL  
HISTORY ONLY PRESENTENCE REPORT;  
[PROPOSED] ORDER